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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/656,461  | 09/05/2003  | Danny Brian Allison  | THOLAM P209US       | 8431             |
| 20210   | 7590        | 04/25/2005           | EXAMINER            |                  |
| DAVIS & BUJOLD, P.L.L.C.<br>FOURTH FLOOR<br>500 N. COMMERCIAL STREET<br>MANCHESTER, NH 03101-1151 |             |                      | CHAMBERS, MICHAEL S |                  |
|   |             | ART UNIT             | PAPER NUMBER        |                  |
|   |             | 3711                 |                     |                  |

DATE MAILED: 04/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|                              |                           |                      |
|------------------------------|---------------------------|----------------------|
| <b>Office Action Summary</b> | Application No.           | Applicant(s)         |
|                              | 10/656,461                | ALLISON, DANNY BRIAN |
|                              | Examiner<br>Mike Chambers | Art Unit<br>3711     |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 05 September 2003.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-6 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-6 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

|  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)<br>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)<br>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/5/03</u> . | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____.<br>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)<br>6) <input type="checkbox"/> Other: _____. |
|--|--|

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Gordon (4569515). Gordon discloses a

elongate rectangular enclosure having parallel side walls, a first end wall and a second end wall; first team goal (21 Left, fig 10) on the first end wall adapted to permit a game projectile to pass through; a second team goal (25 Left, fig 8) on the second end wall adapted to permit the game projectile to pass through; first team offensive trampoline spaced from the second team goal; second team defensive trampoline positioned between the first team offensive trampoline and the second team goal; a first team defensive trampoline positioned between the second team offensive trampoline and the first team goal ; first protective barrier between the first team offensive trampoline and the second team defensive trampoline ; second protective barrier between the second team offensive trampoline and the first team defensive trampoline; and a third protective

barrier between the first team offensive trampoline and the second team offensive trampoline (fig 8,10,14).

As to claim 2 : Gordon discloses a first and second opening (fig 8 and 10).

As to claim 3 : Gordon discloses an opening (fig 11).

As to claim 4 : Gordon discloses springs (fig 14).

As to claim 5 : See claim 1 rejection.

As to claim 6: See claim 1 rejection. The method claimed would naturally be used by one using the device of Gordon.

Also,

Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Gordon (6634966). Gordon discloses a

elongate rectangular enclosure having parallel side walls, a first end wall and a second end wall; first team goal (122) on the first end wall adapted to permit a game projectile to pass through; a second team goal on the second end wall adapted to permit the game projectile to pass through; first team offensive trampoline (106) spaced from the second team goal; second team defensive trampoline (106) positioned between the first team offensive trampoline and the second team goal; a second team offensive trampoline (106) spaced from the first team goal; a first team defensive trampoline (106) positioned between the second team offensive trampoline and the first team goal ; first protective barrier between the first team offensive trampoline and the second team defensive trampoline ; second protective barrier between the second team offensive trampoline and the first team defensive trampoline; and a third protective

barrier between the first team offensive trampoline and the second team offensive trampoline (fig 2 8,10,14). In as much structure set forth by the applicant in the claims, the device is capable of use in the intended manner if so desired (See MPEP 2112)..

As to claim 6: See claim 1 rejection. The method claimed would naturally be used by one using the device of Gordon.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Chambers whose telephone number is 571-272-4407. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

6634966\*4569515\*5833557\*6682444\*4433838\*3  
312471\*5624122\*3233895      Michael Chambers  
Examiner  
Art Unit 3711

April 20, 2005

  
GREGORY VIDOVICH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700